

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FRANK SACO,  
Plaintiff,

v.

CIVIL ACTION NO.  
03-12551-MBB

TUG TUCANA CORPORATION,  
Defendant.

JURY VERDICT

1. Has the plaintiff proven by a preponderance of the evidence his first claim that the defendant was negligent and that such negligence was a cause of an injury to the plaintiff?

Answer: NO (Yes or No).

2. Do you find by a preponderance of the evidence that the plaintiff has established that the Tug Tucana was unseaworthy on April 13, 2003, and that the unseaworthiness of the defendant's vessel was a direct and substantial cause of an injury to the plaintiff?

Answer: NO (Yes or No).

If your answer to one or more of the above questions is yes, then you should answer question three. Otherwise, do not answer the remaining questions.

3. Has the defendant proven by a preponderance of the evidence that the plaintiff's negligence contributed to causing his injuries?

Answer: \_\_\_\_\_ (Yes or No).

If your answer to question three is yes, you should answer question four. Otherwise proceed to question five.

4. What is the proportion of the total negligence of the defendant and the plaintiff which you apportion to each?

Answer: Defendant	_____ %
Plaintiff	_____ %
<hr/>	
Total	100%

If your answer to question one and/or two is yes, answer question five. Otherwise, do not answer the remaining questions.

5. What amount of damages, if any, do you find from a preponderance of the evidence will fairly and reasonably compensate the plaintiff for the injuries he sustained which were caused by the April 2003 accident? (Indicate a dollar amount).

Answer: Past Pain and Suffering: \$ \_\_\_\_\_  
Future Pain and Suffering: \$ \_\_\_\_\_

If your answer to question two is yes, answer question six.  
Otherwise, do not answer the remaining questions.

6. Do you chose, in your discretion, to award the plaintiff prejudgment interest from April 2003 to the present on any of his past damages incurred between April 2003 and the present that were caused by the unseaworthy condition of the Tug Tucana?

Answer: \_\_\_\_\_ (Yes or No).

If your answer to question six is yes, answer question seven.  
Otherwise, do not answer the remaining questions.

7. Indicate the amount of the total amount noted in question five which represents compensation for the past damages incurred between April 2003 and the present caused by the unseaworthy condition of the Tug Tucana on which you chose to make an award of prejudgment interest.

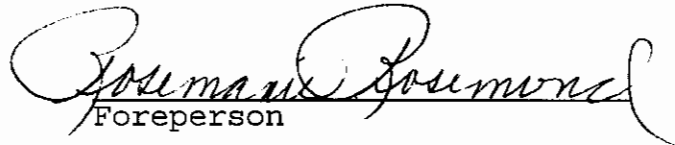
Answer: \$\_\_\_\_\_ (Indicate a dollar amount).

If your answer to question six is yes and you listed a dollar amount in question seven, answer question eight. Otherwise, do not answer question eight.

8. What is the rate of interest which you find applies to

the period from April 2003 to the present?

Answer: \_\_\_\_\_% (Not to exceed 12%)

  
Foreperson

Date: 1/27/06